

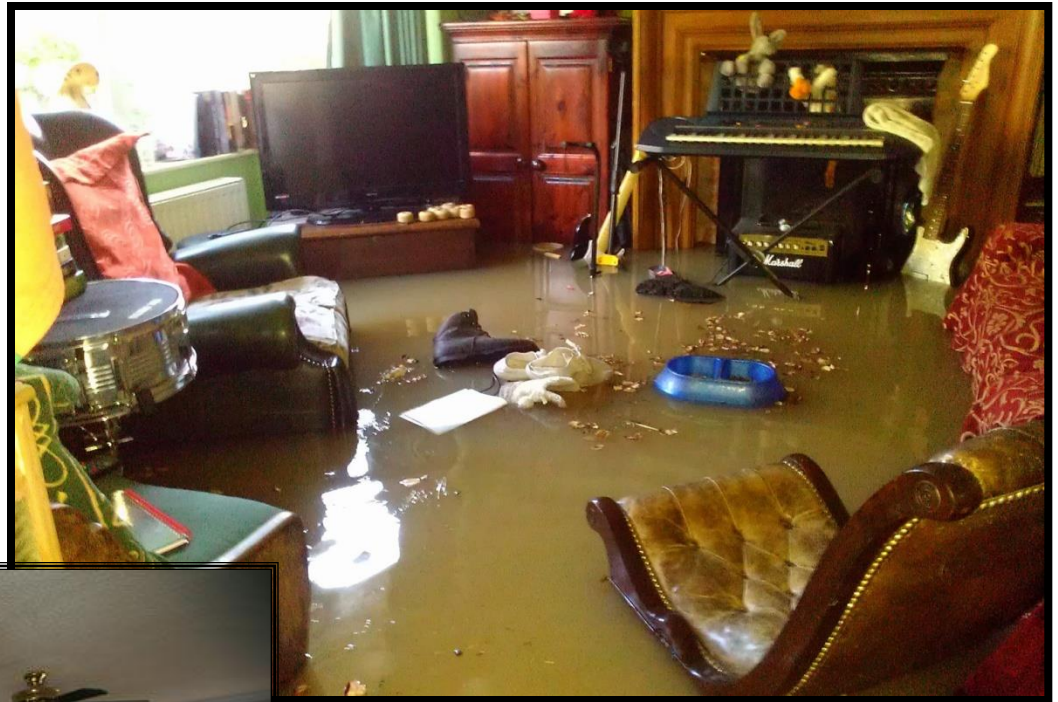


# Mandatory Disclosure





In a 2,000 sq. ft residence the estimates for flood damages are



1" = \$20,920

6" = \$39,150

1' = \$52,220

2' = \$62,880

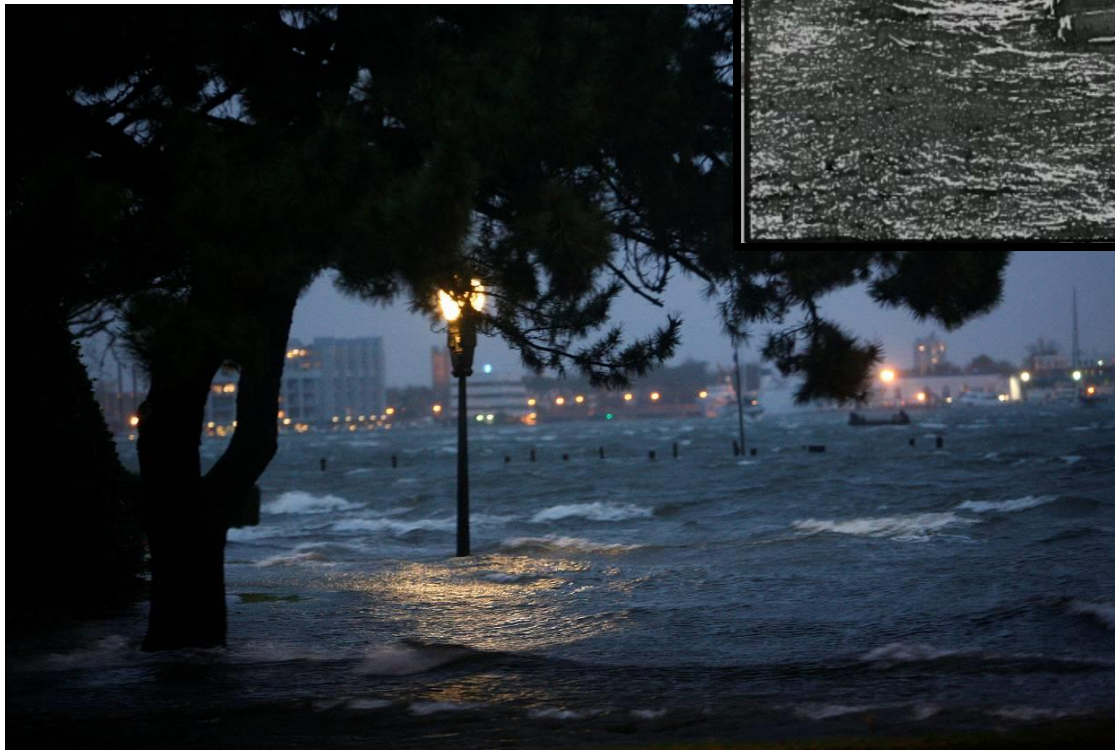
4' = \$74,580

**DESTINATION 2025**  
*Setting A Bold New Course*





Ash Wednesday  
Storm March  
1962



2009 Nor'easter



## We Want to Hear from You! Come and Help Plan Your City.

Citizen engagement is one of our most valued tools for building success and ensuring a better Portsmouth. Please join us for **Floodplain Management Plan Public Meetings**.

**Tuesday, June 29 • 7-9 p.m.**  
**Portsmouth City Hall**

(Council Chambers)  
801 Crawford Street • Portsmouth, VA 23704  
**The objective of this meeting will be to hear citizen concerns relative to flooding issues.**

**Thursday, July 15 • 7-9 p.m.**  
**Portsmouth City Hall**

(Council Chambers)  
**The objective of this meeting will be to present solutions developed relative to flooding issues.**

Successful planning is contingent upon your



The Planning Department  
801 Crawford Street • 4th Floor  
Portsmouth, VA 23704

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Permit No. 16

## We Want to Hear from You! Come and Help Plan Your City.



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Come and Help Plan Your City.



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### FIRST MEETING:

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### SECOND MEETING:

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7-9 p.m.  
Portsmouth City Hall**

(Council Chambers)  
801 Crawford Street  
Portsmouth, VA 23704

The objective of this meeting will be to hear solutions developed relative to flooding issues.

Successful planning and solutions are contingent upon your assistance and input.

We are looking forward to the presence of all stakeholders so that our combined knowledge, experiences, and desires can work together to shape our priorities and framework for the future.

For more details, call our office at **393-8836.**

**The Planning Department**  
801 Crawford Street - 4th Floor  
Portsmouth, VA 23704



**DESTINATION 2025**  
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*In the Hampton Roads area, we often receive little warning of flooding events. The suggestions in this pamphlet are provided to help you reduce damages when the next flood occurs. Thank you for being a part of protecting your property and family. If you have questions concerning flooding and preparation please contact the*

*Portsmouth Department of Planning at (757) 393-8836.*

### **Purchase Flood Insurance and Educate Yourself**

30% of the land in the City of Portsmouth is in a hazard flood zone. Only about 45% of the buildings in these hazard zones are protected with a flood insurance policy. If you have a policy, do not let it lapse. If you do not have a policy, seriously consider purchasing one as your first line of defense.

1. Determine if your home is in a Flood Hazard Area. Even if your home is not in a Hazard Area, you still may want a policy since each year 25 to 30% of claims occur in non-hazard areas.
2. Make certain your policy is for at least 80% of the value of the building covered.
3. Remember - homeowners insurance does not cover flooding!

### **Safeguard Your Possessions**

Create a personal flood file containing information about all of your possessions and keep it in a secure place, such as a safe deposit box or waterproof container. This file should have:

1. Prescriptions.
2. Birth Certificates and Passports.
3. Addresses and Telephone numbers of Doctors, Insurance Agent, Family and friends.
4. A copy of your insurance policies with your agent's contact information.
5. A household inventory: For insurance purposes, be sure to keep a written and visual (i.e., videotape or photographed) record of all major household items and valuables, even those stored in basements, attics or garages. Create files that include serial numbers and store receipts for major appliances and electronics. Have jewelry and artwork appraised. These documents are critically important when filing insurance claims. For more information visit [www.knowyourstuff.org](http://www.knowyourstuff.org).
6. Copies of all other critical documents, including finance records or receipts of major purchases.

### **For More Information Visit These Web Sites:**

1. Federal Emergency Management Agency: [www.fema.gov/](http://www.fema.gov/)
2. Portsmouth's Electronic Library: [www.portsmouthva.gov/planning/flood-information-library.aspx](http://www.portsmouthva.gov/planning/flood-information-library.aspx)
3. American Red Cross: [www.redcross.org](http://www.redcross.org)
4. Planning Department Flood Information: [www.portsmouthva.gov/planning/flood.aspx](http://www.portsmouthva.gov/planning/flood.aspx)

**THE CITY OF PORTSMOUTH  
WANTS TO HELP YOU PREPARE  
YOUR HOME AND FAMILY  
FOR THE NEXT FLOOD.**

**DESTINATION 2025**  
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## Prepare Your House: General Items

1. Clear out household hazardous products before flood season. Most homes have chemicals or materials under the kitchen sink, in a utility room and in the garage that can contaminate flood waters and be hazardous to your family, property, and emergency responders. Reduce your risk by keeping only small amounts of those products you use. **IF THE LABEL SAYS CAUTION, WARNING, DANGER OR POISON – YOU HAVE A HAZARDOUS PRODUCT.** These include cleaners, automotive products, oil-based paints, home improvement and gardening products, and items like computers or burned out fluorescent bulbs.
2. Repair defective electrical wiring and leaky gas connections.
3. Fasten all shelves securely.
4. Place large, heavy objects on lower shelves.
5. Hang pictures and mirrors away from beds.
6. Brace overhead light fixtures.
7. Secure your water heater by strapping it to wall studs.
8. Repair any cracks in ceilings or foundations.
9. Discard oily polishing rags or waste in tightly covered metal cans.
10. Clean and repair chimneys, flue pipes, vent connectors and gas vents.
11. Make sure your sump pump is working, and install a battery-operated backup, in case of a power failure. Installing a water alarm will also let you know if water is accumulating in your basement.
12. Clear debris from gutters and downspouts.
13. Anchor any fuel tanks. A fuel tank can tip over or float in a flood, causing fuel to spill or catch fire. Cleaning a house that has been inundated with floodwaters containing fuel oil can be extremely difficult and costly. Sometimes removing the petroleum contamination adequately is impossible and the home becomes uninhabitable due to lingering petroleum vapors, which are a health hazard. Fuel tanks should be anchored securely to the floor. Make sure vents and fill line openings are above projected flood levels or seal them. Consider emptying the tank and filling it with water to reduce its buoyancy.



## Immediately Before The Flood

1. Plug sewer traps with check valves, which prevent floodwater from backing up into the drains of your home. In an emergency, you can also use large corks or stoppers to plug sinks and tubs.
2. Move furniture, valuables, and important documents to a safe place. Move as much as you can – furniture, electronics, etc. – to the highest level of your home. Pay attention to your individual health and physical limitation. You don't want to be a casualty before the flood comes.
3. Portable heaters should be moved if time allows.
4. Even if you can't get everything moved to a higher level, be sure to disconnect all electronics and appliances. Turn off the main switches for water, gas and electricity to reduce possible damage.
5. Bring any outdoor furniture inside as well. Have a propane grill outside? Be sure to anchor the tanks as even full ones are very buoyant. Make certain all valves of the tanks are completely closed. There is enough gas in one propane tank to completely destroy a single family building.
6. If time and space allow, move cars, tractors and/or other machinery to higher ground. Move any other outdoor furniture, toys or items you cannot fit inside to a higher area.

## More Expensive Fixes

1. Raise your electrical components (switches, sockets, circuit breakers, and wiring) at least 12 inches above your home's projected flood elevation.
2. Place the furnace, water heater, washer, and dryer on cement blocks at least 12 inches above the projected flood elevation. If possible, if your furnace, water heater or electricity panel is on the first floor of your home, consider having it moved to an area where it is less likely to be damaged by floodwater.
3. A cheaper alternative may be to place appliances such as washing machines, clothes dryers, freezers and refrigerators on 12 inch concrete blocks.
4. Protect basement walls by sealing them with waterproofing compounds so water can't come in through cracks.
5. To protect your home from sewer backup, consider having a valve or one-way check valve installed where the sewer main leaves the house. Remember that a sewer system blockage could force water in the home's drainage system higher than expected.
6. Sandbags and water-inflatable dams can provide temporary, self-supporting barriers to fight against rising floodwaters. More information on flood proofing is available on line.
7. Water pressure may damage basement walls. If the basement walls are not constructed of reinforced concrete and/or are incapable of withstanding the force exerted by soils saturated with floodwaters, allowing the basement to fill with water may protect the walls/foundation from structural damage by keeping the pressure similar on both sides of the walls and floor.

## Develop A Family Emergency Plan

1. Make a safety kit containing extra food and drinking water (three gallons per person), canned food, first aid, blankets, radio, flashlight and extra batteries, battery-powered weather radio receiver, first-aid supplies, a can opener, extra clothing, and bedding. Don't forget special items for family members such as diapers, baby formula, prescription or essential medications, extra eyeglasses or hearing aids, and pet supplies.
2. Post emergency telephone numbers by the phone and teach your children how to dial 911.
3. Plan and practice a flood evacuation route with your family. Know safe routes from home, work, and school that are on higher ground.
4. Ask an out-of-state relative or friend to be your emergency family contact.
5. Have a plan to protect your pets. Organize emergency supplies for your pet as well. Include pet food, bottled water, medications, veterinary records, cat litter/pan, can opener, food dishes, first aid kit and other supplies in case they're not available later. Lessons learned from Hurricane Katrina have forced emergency shelters to rethink their rule of not allowing pets. However, not all shelters will accept pets. Call ahead to find out which shelters will accept families and their pets or will make provisions for pets to be near their owners. If you have to board your pet in the event of evacuation, having veterinary records will be required before kennels or clinics will accept your pet. Be sure your pet's vaccinations and identification tags are up-to-date. Securely attach current ID tags to your pet's collar. If possible, attach the address and/or phone number of your evacuation site. If your pet gets lost, his tag is his ticket home.
6. Talk to your family ahead of time to decide where you will go if a flood occurs, so everyone will know what to do.
7. You can also install a flood alarm. It costs about \$15 and can alert you if your home begins to take on water.
8. Check hallways, exits, doors, and windows for hazards and obstructions. Do not permanently bar, nail, or paint windows or doors shut.
9. Plan activities for children. There are some good interactive websites that guide very young and school-age children virtually through preparing for a disaster. For example, Sesame Street has a whole section on its site devoted to that topic. FEMA has a similar site. Provide basic supplies for a variety of possible situations. Stock a box for very young children because they need distractions from waiting. Traveling with children of any age can be stressful, even under the best of circumstances. Allow them to take along a favorite item, like a stuffed bear or some item that helps them feel more secure. Be sure there are enough games to play together or individually for an extended period of time.



- City's Home Page
- Neighborhood Advancement Home
- Flood Program
- Flood Maps
- Letters of Map Change
- Developing in the Floodplain
- Online Flood Information Library
- Flood Insurance
- Benefits of Floodplains



## Department of Neighborhood Advancement Flood Program

Anywhere it rains, it can flood. A flood happens when areas that are saturated with water. Floods are caused by many things, including rainstorms, storm surges, and hurricanes. Floods are the most common and widespread natural disasters in the United States and can experience some kind of flooding. Flash floods usually result from heavy amounts of rain within a brief period. Just because you haven't experienced a flood in the past, doesn't mean you won't in the future. Flood risk isn't just based on history, it's also based on a number of factors including: rainfall, river-flow and tidal-surge data, topography, and changes due to building and development.

### Flood Awareness

Like any other low lying coastal area, Portsmouth's elevation and location make it susceptible to flooding. Nearly every year, and sometimes several times a year, periods of heavy rain, hurricanes or nor'easter storms, residential areas are threatened by floodwaters.

Much of Portsmouth is susceptible to some level of flooding, and residents are encouraged to contact an insurance agent to inquire about purchasing flood insurance. Just because you haven't experienced a flood in the past, doesn't mean you won't in the future. Flood risk isn't just based on history, it's also based on a number of factors including: rainfall, river-flow and tidal-surge data, topography, flood-control measures, and changes due to building and development.



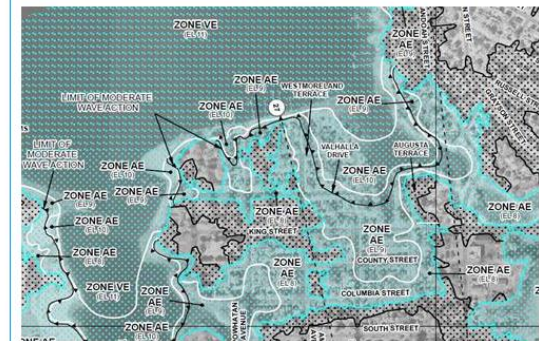
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## Department of Neighborhood Advancement Flood Insurance Rate Maps

### What are flood zones?

Flood zones are geographic areas that FEMA has defined according to varying levels of flood risk and type of flooding. These zones are depicted on the published Flood Insurance Rate Map (FIRM). [Click here for detailed descriptions of the different flood zones.](#)



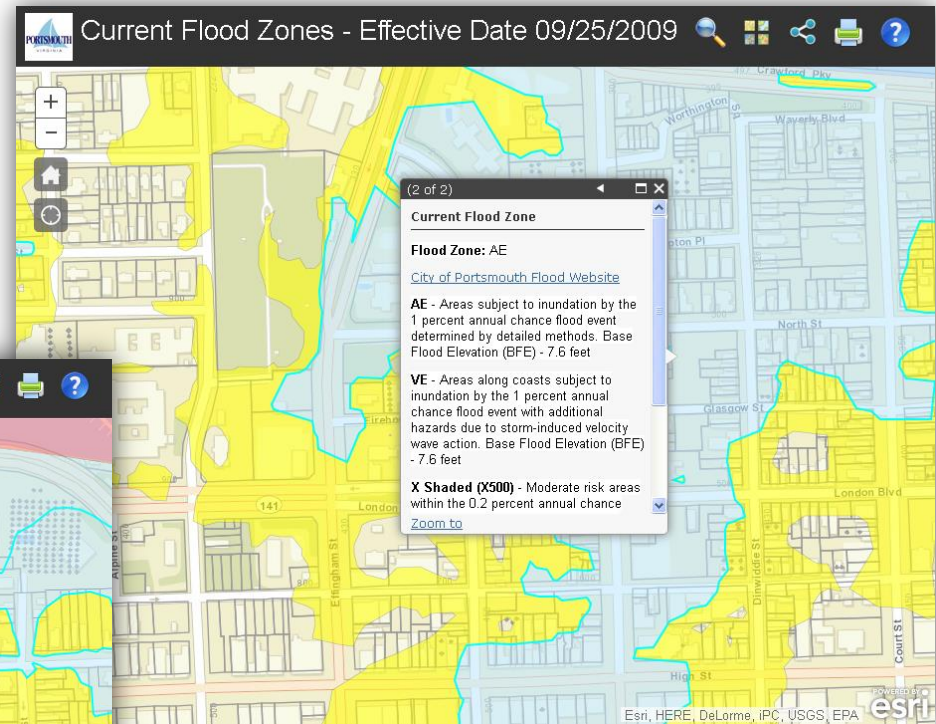
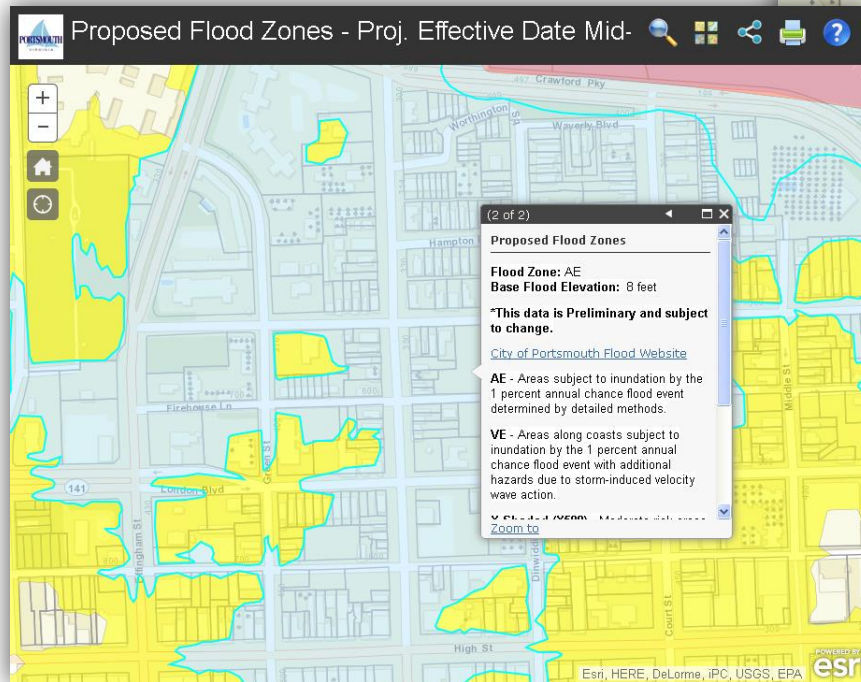
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# Updated Flood Map Viewers

- For both current (effective) flood maps and proposed (preliminary) flood maps
- Linked on the City Flood website





# Who are Our Partners

- Real Estate Agents
- Lending Institutions
- Insurance Agents
- Churches
- Civic Leagues
- Youth Sports Groups
- Business Associations



# Requesting Mandatory Disclosure

- Requesting the General Assembly to provide regulations that require the following to be disclosed at the time of a property listing:
  - Require disclosure of building being located in a special Flood Hazard Zone,
  - Require a statement of the owner on the length of time they have owned the property and the number of times flood damages have occurred during that period.





# HB 1642

- Summary: Requires the seller's representation to a prospective purchaser of residential property under the Virginia Residential Property Disclosure Act to state that the seller makes no representations as to whether the property is located in one or more special flood hazard zones and purchasers are advised to exercise whatever due diligence they deem necessary.



# Caveat Emptor

- Caveat Emptor is a Latin phrase meaning “buyer beware.” Under the doctrine of caveat emptor, the seller is under no duty of disclosure to the buyer. The risk of defect in the property falls squarely on the purchaser.
- This does NOT work when the buyer can not get information on past flooding events.



# Goals of Mandatory Disclosure

1. Assist property owners learning their At-Risk Status,
2. Reduce flood damage to insurable property and
3. Reduce the time of recovery.







# Benefits for Disclosure

- Helps the seller to appropriately price the property.
- Helps a seller make improvements to make it more salable.
- Buyer unfamiliar with flooding at-risk potential.
- Buyers have a hard time obtaining information
- Notification of being in a flood hazard area occurs at the time of the loan application not when the property is shown.
- Cost of the policy is discovered at closing but can raise yearly escrow to a point that effects buyers future ability to pay.



## Benefits for Disclosure (cont.)

- Provide disclosure at the listing so sound financial decisions can be made before emotional attachment occurs.
- New owners are aware of their at risk status at the beginning and can make plans to reduce their risk
- New owners can obtain information on repairs of past flood damage.
- Sellers can offer incentives to new owners that reduce the risk.



# Effects of Non-Disclosure

- Lost sales the process causing increased sales time
- Reduced sales price because of failure to accurately inform seller of a potential sales issue
- Dissatisfied clients
- Increased foreclosures





# Code of Ethics and Standards of Practice of the National Association of Realtors® Effective January 1, 2015

## Duties to Clients and Customers

### Article 1

When representing a buyer, seller, landlord, tenant, or other client as an agent, REALTORS® pledge themselves to protect and promote the interests of their client. This obligation to the client is primary, but it does not relieve REALTORS® of their obligation to treat all parties **honestly**. When serving a buyer, seller, landlord, tenant or other party in a non-agency capacity, REALTORS® remain obligated to treat all parties **honestly**. (Amended 1/01)

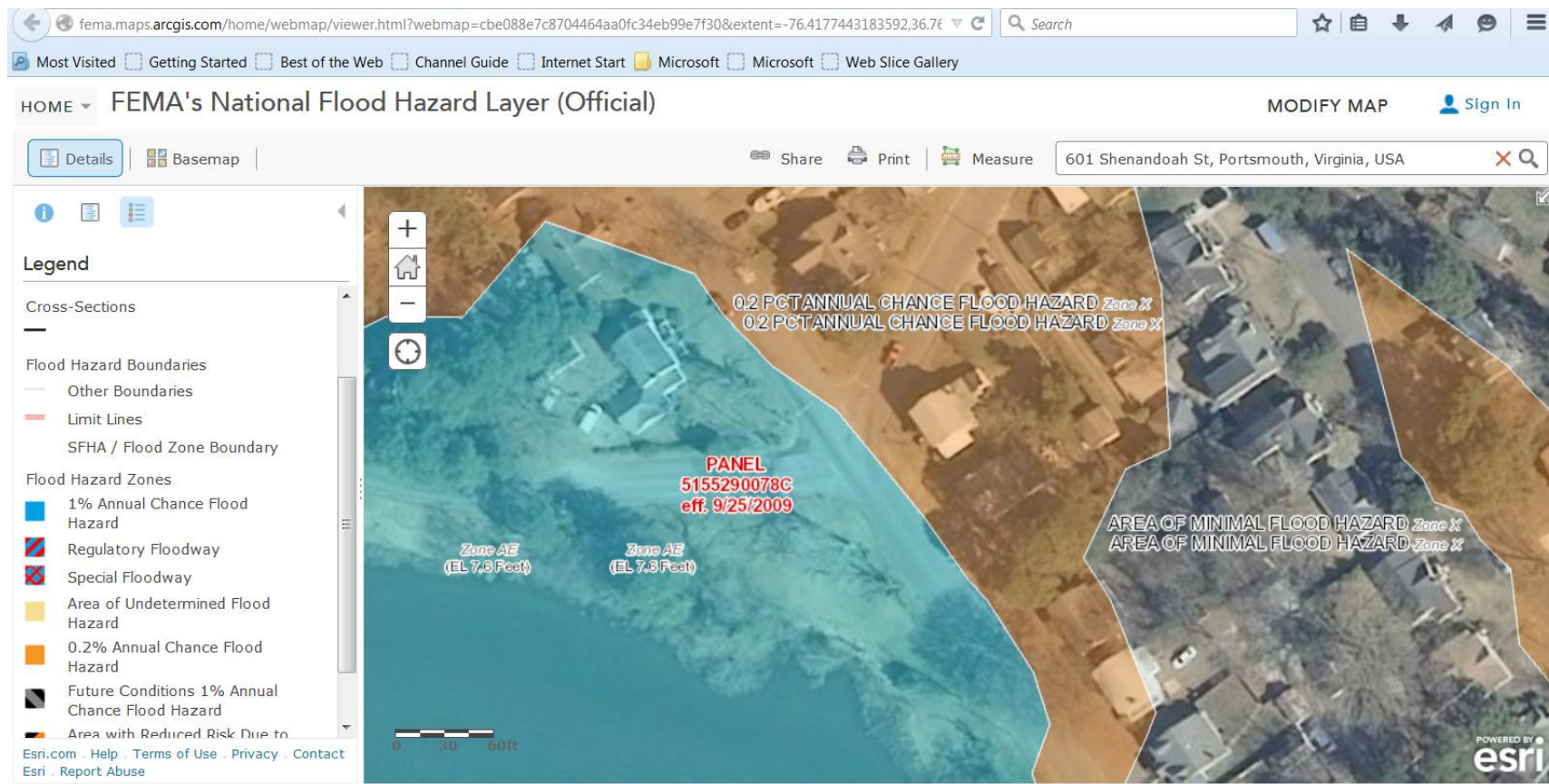


# Other States or Localities

- Florida including Miami -Dade County and Tampa
- Georgia (tenants only)
- California
- Illinois
- Texas
- Maryland
- New York



# Methods of Disclosure (map)



<https://msc.fema.gov/portal/search>

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# Methods of Disclosure (seller affidavit)

- **Seller's Real Property Disclosure Statement**
- Name: \_\_\_\_\_
- Date Seller Purchased the below property: \_\_\_\_\_
- Property Address: \_\_\_\_\_
- Legal description: \_\_\_\_\_
- **Notice to Buyer and Seller:**
- In Virginia, a Seller is obligated to disclose to a Buyer certain known facts that materially affect the value of the property being sold and that are not observable. This disclosure statement is designed to assist the Seller in complying with these disclosure requirements under Virginia law and to assist the Buyer in evaluating the property being considered. This disclosure statement concerns the condition of the real property located at the above address. It is not a warranty of any kind by the Seller or any Licensee in this transaction. It is not a substitute for any inspections or warranties the parties may wish to obtain. It is based on the Seller's knowledge of the specific condition listed below. This disclosure is intended to be a part of the contract for sale and purchase. All parties may refer to this information when they evaluate, market, or present Seller's property to prospective Buyers.
- **THE FOLLOWING REPRESENTATIONS ARE MADE BY THE SELLER(S) AND ARE NOT THE REPRESENTATIONS OF ANY REAL ESTATE LICENSEES.**





# Methods of Disclosure (seller affidavit cont.)

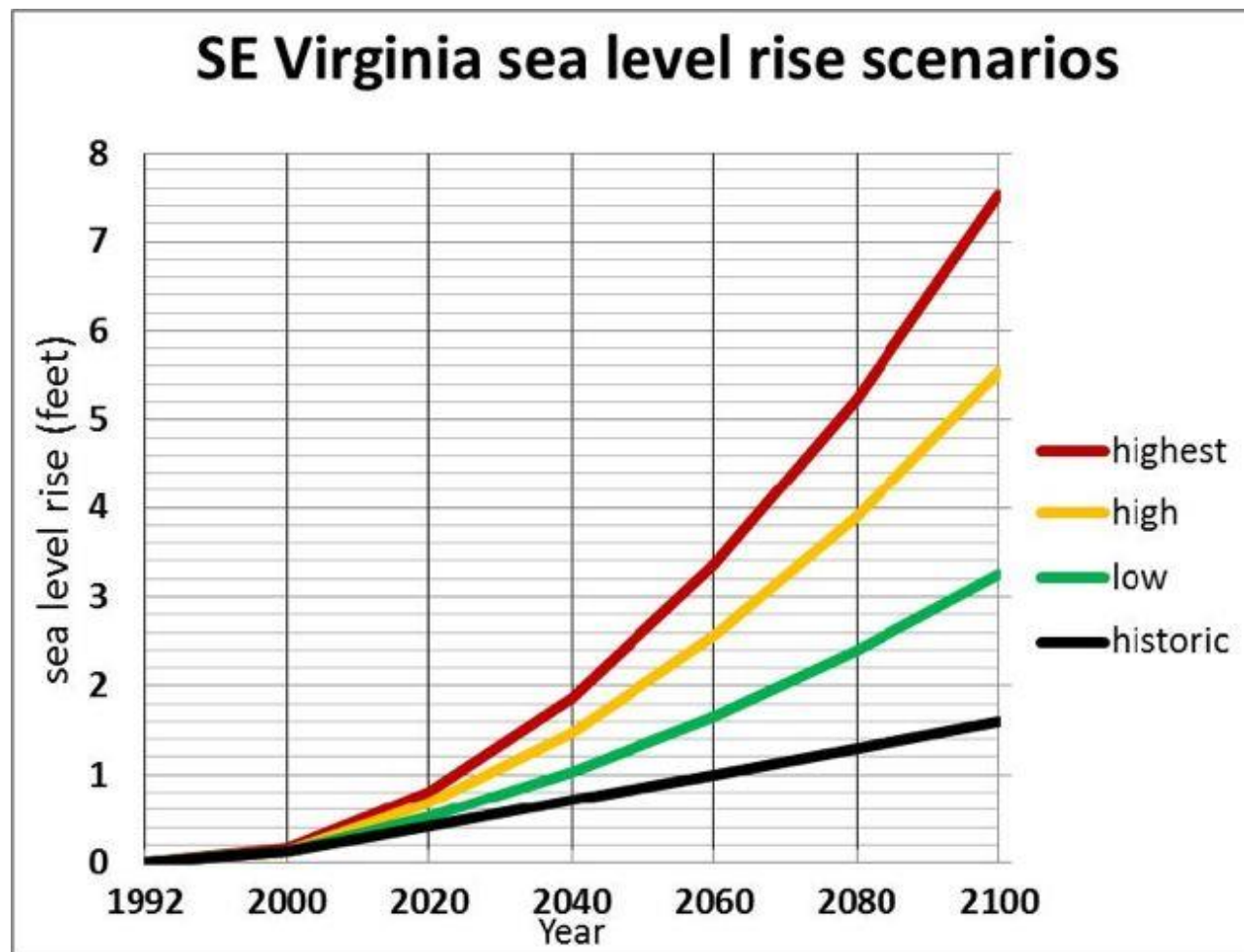
## **Flood:**

Are you aware:

- if any portion of the property is in a special flood hazard area? No \_\_\_\_ Yes \_\_\_\_
- does the property require flood insurance? No \_\_\_\_ Yes \_\_\_\_
- if any improvements including additions, are located below the base flood elevation? No \_\_\_\_ Yes \_\_\_\_ Do not know \_\_\_\_
- if such improvements were constructed in violation of applicable local flood requirements? No \_\_\_\_ Yes \_\_\_\_ Do not know \_\_\_\_
- if the property has flooded during your ownership? No \_\_\_\_ Yes \_\_\_\_
- If the property has ever flooded at any time? No \_\_\_\_ Yes \_\_\_\_ Do not know \_\_\_\_
- If any answer to question 1A-1F is yes please explain.

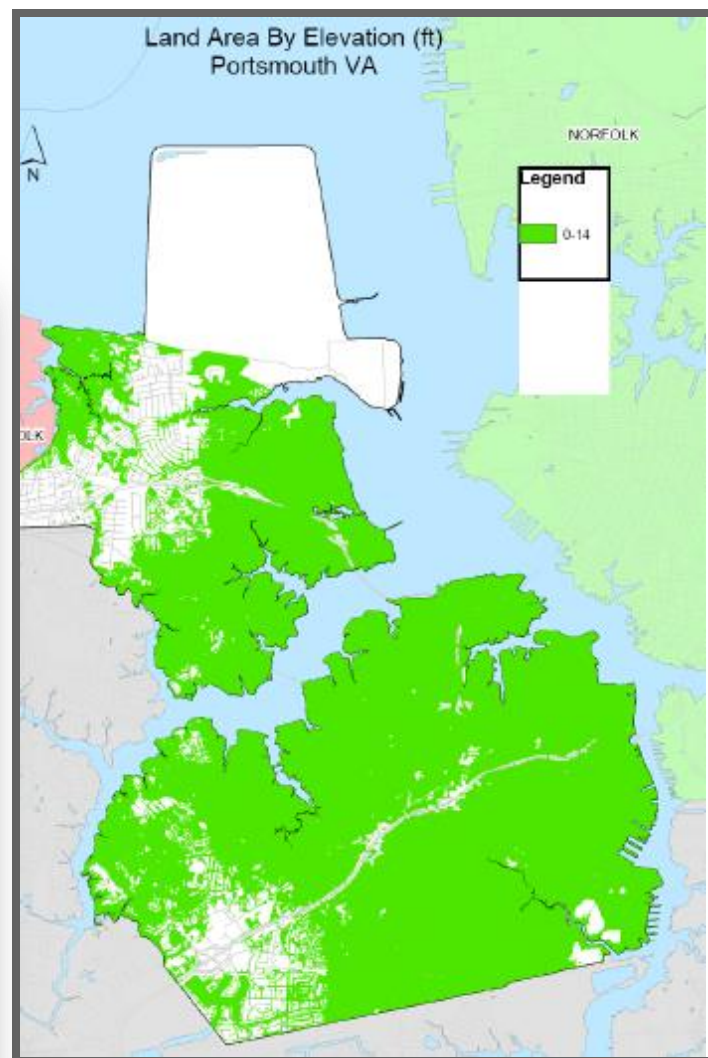
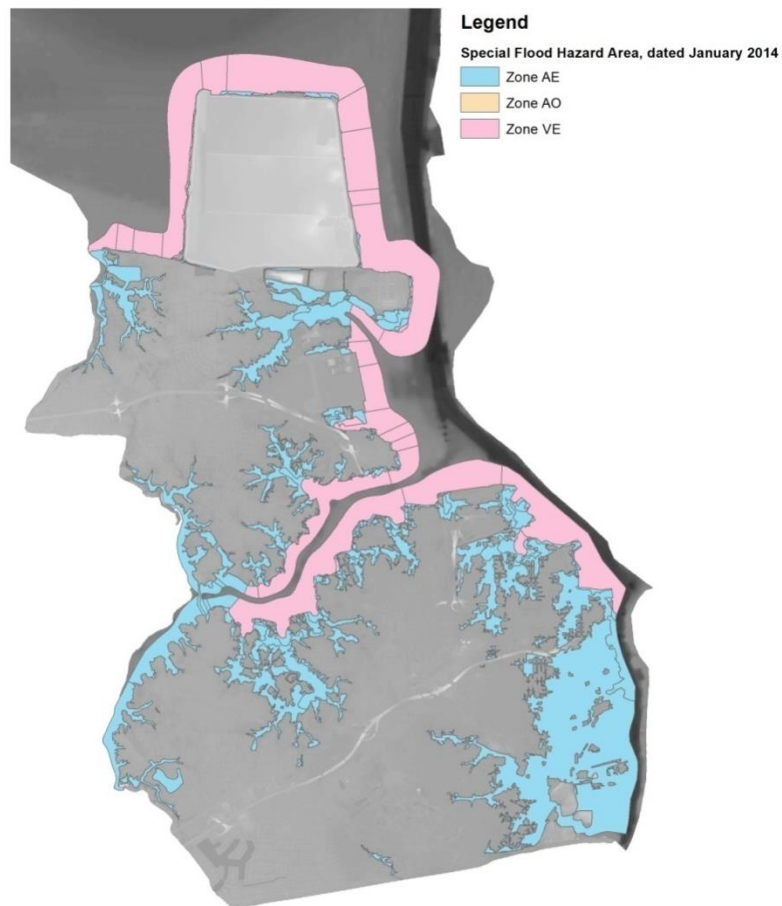


# Sea Level Rise



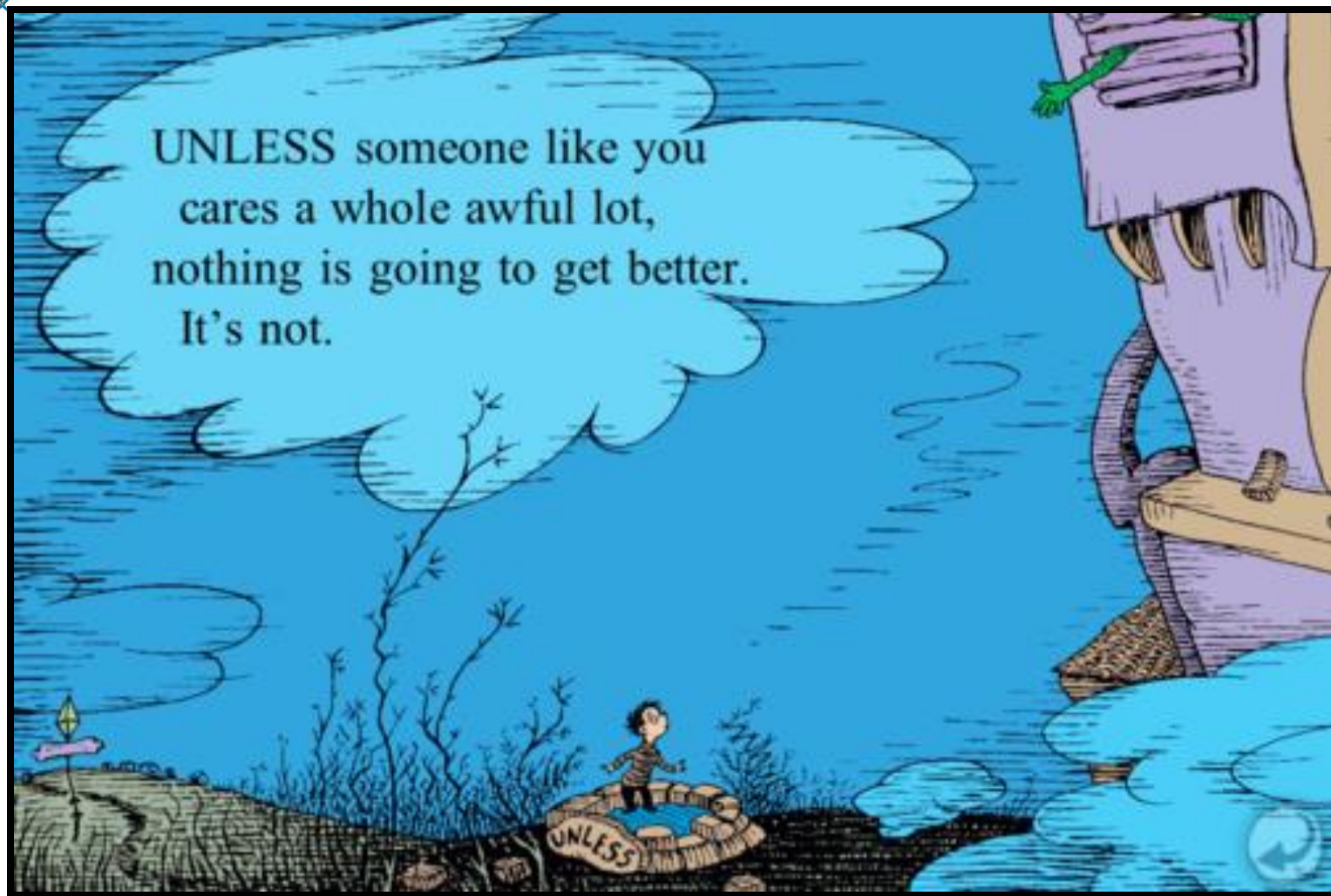


## New maps effective August 3, 2015



The Future?

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# Questions?

**[brussof@portsmouthva.gov](mailto:brussof@portsmouthva.gov)**